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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment / Response (23 pgs)
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Reply to Missing Parts/
Incomplete Application
 Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____
 Landscape Table on CD

- After Allowance Communication to TC
 Appeal Communication to Board
of Appeals and Interferences
 Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s)
(please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Affymetrix, Inc.

Signature

Printed Name

Wei Zhou

Date

November 24, 2004

Reg.
No.

44,419

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Pamela Leong

Date November 24, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

1320

Complete if Known

Application Number	09/735,743
Filing Date	Dec. 12, 2000
First Named Inventor	Wei-min Lu
Examiner Name	Marianne Allen
Art Unit	1631
Attorney Docket No.	3298.1

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number

01-0431

Deposit Account Name

Affymetrix, Inc.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	150	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20 **	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20 **	0	X 0 = 0	0
Multiple Dependent	-3 **	0	X 0 = 0	0

Fee from below	Fee Paid
X 0 = 0	0
X 0 = 0	0
X 0 = 0	0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	98	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	-- Reissue independent claims over original patent	
1205	18	2205	9	-- Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
		2051	65	Surcharge - late filing fee or oath	
		2052	25	Surcharge - late provisional filing fee or cover sheet	
		1053	130	Non-English specification	
		1612	2,520	For filing a request for ex parte reexamination	
		1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	Extension for reply within first month	
		1252	430	Extension for reply within second month	
		1253	980	Extension for reply within third month	980.0
		1254	1,530	Extension for reply within fourth month	
		1266	2,080	Extension for reply within fifth month	
		1401	340	Notice of Appeal	340.0
		1402	340	Filing a brief in support of an appeal	
		1403	300	Request for oral hearing	
		1451	1,510	Petition to Institute a public use proceeding	
		1452	110	Petition to revive - unavoidable	
		1459	1,370	Petition to revive - unintentional	
		1501	1,370	Utility issue fee (or reissue)	
		1502	490	Design issue fee	
		1503	660	Plant issue fee	
		1480	130	Petitions to the Commissioner	
		1807	50	Processing fee under 37 CFR 1.17 (q)	
		1808	180	Submission of Information Disclosure Stmt	
		8021	40	Recording each patent assignment per property (times number of properties)	
		1809	790	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	790	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	790	Request for Continued Examination (RCE)	
		1902	900	Request for expedited examination of a design application	
		Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1320)

Complete if Known

SUBMITTED BY	Name (Print/Type)	Registration No. (Attorney/Agent)	44,419	Telephone	408-731-5000
Signature	Weizhou			Date	November 24, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203B.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-788-9199) and select option 2.

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First Named Inventor	Wei-min Liu
Examiner Name	Marianne Allen
Art Unit	1631
Attorney Docket No.	3298.1

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Affymetrix, Inc.

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 780	2001 395	Utility filing fee	
1002 360	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 780	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20-	Extra Claims	Fee from below	Fee Paid
Independent Claims		-0-	x	= 0
Multiple Dependents	-3-	-0-	x	= 0

X = 0

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 38	2201 44	Independent claims in excess of 3	
1203 800	2203 150	Multiple dependent claim, if not paid ** Reissue independent claims over original patent	
1204 88	2204 44	** Reissue claims in excess of 20 and over original patent	
1205 18	2205 9		

SUBTOTAL (2) (\$ 0)

*For number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid
		1051 130	Surcharge - late filing fee or oath	
		1052 50	Surcharge - late provisional filing fee or cover sheet	
		1053 130	Non-English specification	
		1812 2,520	For filing a request for ex parte reexamination	
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		1255 2,080	Extension for reply within fifth month	
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		1402 340	Filing a brief in support of an appeal	
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		1503 660	Plant issue fee	
		1480 130	Petitions to the Commissioner	
		1807 50	Processing fee under 37 CFR 1.17 (d)	
		1806 180	Submission of Information Disclosure Stmt	
		8021 40	Recording each patent assignment per property (unless number of properties)	
		1809 790	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 790	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801 750	Request for Continued Examination (RCE)	
		1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1320)

Complete if applicable

SUBMITTED BY	Name (Print/Type)	Registration No. (Attorney/Agent)	44,419	Telephone	408-731-5000
	Wei Zhou				
Signature				Date	November 24, 2004

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Serial No.: 09/735,743
Attorney Docket No.: 3298.1

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PATENT
Attorney Docket No. 3298.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: *Liu et al*

Examiner: Allen, Marianne P.

Serial No: 09/735,743

Group Art Unit: 1631

Filing Date: December 12, 2000

Inventors: *Liu et al*

Title: Systems and Computer Software
Products for Gene Expression Analysis

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT/ RESPONSE AFTER FINAL

Sir:

In reply to the Office Action mailed May 26, 2004, Applicants respectfully request reconsideration of the pending rejections and reexamination of the present application in view of the following amendments and remarks.

Applicants respectfully petition for a 3-month extension of time within which to respond to the Office Action.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 19 of this paper.